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*contra*, *Altig v. Straka* (1908) 118 Ill. App. 184; *Laffon v. Keener* (1905) 138 N. C. 281, 50 S. E. 654. While this was formerly held in the principal jurisdiction, *Graber v. Gault* (1905) 103 App. Div. 511, 93 N. Y. Supp. 76; *Wiedenfeld v. Fillinghast* (1907) 54 Misc. 90, 104 N. Y. Supp. 712, these cases have been reversed by shifting the burden of proof to the plaintiff. *Matter of Peterson* (1910) 137 App. Div. 435, 121 N. Y. Supp. 738. Accepting the majority opinion as to debts in general, the distinction suggested in the dissenting opinion, between debts and obligations accrued at the time the schedules were prepared, and contingent liabilities whose dischargeability depends upon whether they became fixed debts in time to be allowed in the bankruptcy proceedings, seems without foundation. The only matter of practical interest under the Act is whether or not the claim now sued upon was dischargeable at the time of the bankruptcy, and if it was, its particular nature is of no moment. *Cf.* Colley, *Bankruptcy* (11th ed.) 963; *Moch v. Market St. Nat'l. Bank* (C. C. A. 1901) 107 Fed. 897. The decision in the principal case, though in accord with the weight of authority, would seem wrong in principle.

**BANKS AND BANKING—TRANSFER OF TRUST FUNDS—DUTY TO INQUIRE.**—*M* wished to obtain a loan, but was informed by the plaintiff bank that she could not assign, as security, a bank book of a deposit in the name of "*M*, in trust for *F*", in the defendant savings bank. It was suggested that the money be put in her individual name and in this the plaintiff acquiesced. Accordingly, and without the knowledge of *F*, *M* drew the entire trust fund, re-deposited it to her individual account in the defendant bank, gave the new pass book as security and obtained the loan. The defendant acknowledged the assignment of the account. *Held*, one judge dissenting, that the bank lending the money was not put upon inquiry as to whether the fund was being diverted from the purposes of the trust. *Corn Exchange Bank v. Manhattan Savings Inst. et al.* (App. Term 1st Dept. 1919) 173 N. Y. Supp. 799.

Where checks drawn by a trustee on the trust funds in another bank were deposited in the defendant bank to his individual account, which was used, in part, to pay an individual indebtedness of the trustee to that bank, it was held that the bank was thereby put on notice of a breach of trust and was liable for the money so misappropriated. *Bishop v. Yorkville Bank* (1916) 218 N. Y. 106, 112 N. E. 759; 16 Columbia Law Rev. 341, 516. In the principal case there was, similarly, a withdrawal by check to the order of the trustee as an individual and a re-deposit to her individual account, but in the bank holding the trust fund. The plaintiff knew of this and nevertheless loaned money to the trustee, taking as security the pass book evidencing the individual deposit. The court in not holding the plaintiff to have been put upon notice seems to have taken a position difficult to reconcile with that of the Court of Appeals in *Bishop v. Yorkville Bank*, *supra*.

**CONSTITUTIONAL LAW—COMPULSORY REGISTRATION OF LAND TITLE BY EXECUTORS AND ADMINISTRATORS.**—The state legislature passed a statute requiring executors and administrators to register the title to all of their decedents' real estate, unless excused by an order of the court where such registration appeared to be a hardship. 2 Ill. Stat. Ann. § 2290. *Held*, the statute was unconstitutional, as denying to the